

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8503 of 2025**

Arising Out of PS. Case No.-238 Year-2022 Thana- NATHNAGAR District- Bhagalpur

Deepak Mandal @ Dubba Mandal Son of Thakur Mandal R/O Vill- Rasidpur  
Diyara, P.S.- Nathnagar, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Anita Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      02-05-2025                      Heard Mr. Rajive Ranjan, learned counsel for the  
  
petitioner and Mr. Anita Kumar, learned Additional Public  
  
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since  
09.09.2024 in connection with Nathnagar P.S. Case No. 238 of  
2022 for the offences punishable under Sections 302, 506, 120B  
and 34 of the I.P.C. and 27 of the Arms Act.

3. According to prosecution case, the petitioner and  
the other co-accused person shot dead the husband of the  
informant.

4. Learned counsel for the petitioner submits that  
petitioner has clean antecedent he has falsely been implicated in  
the present case due to admitted land dispute between the parties.  
He further submits that from the perusal of the F.I.R. it appears



that the informant is not the eye witness of the alleged occurrence. Although, there is specific allegation against the petitioner and the other co-accused persons that they have fired upon the victim but the postmortem report of the victim suggests that only one firearm injury was found on the body of the deceased. Apart from that the co-accused, namely, Arun Mandal against whom there is similar allegation has been granted the bail by order dated 24.06.2023 in Cr. Misc. No. 9331 of 2023 by this Court and another co-accused person, namely, Thakur Mandal and other have been granted the privilege of anticipatory bail by order dated 01.05.2023 in Cr. Misc. No. 63011 of 2022 and the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 09.09.2024.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, the petitioner has clean antecedent, informant is not eye witness of the present occurrence, the allegation against the petitioner and other co-accused person is that they have fired upon the victim but only one firearm injury found on the body of the deceased and the co-accused person has been granted bail by this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like



amount each to the satisfaction of the learned C.J.M., Bhagalpur in connection with Nathnagar P.S. Case No. 238 of 2022, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

Jyoti Kumari/-

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